

House Republican Press Release

April 5, 2006
Press Office: 860-240-8700

House Passes Hypnotist Sexual Assault Bill



HARTFORD- The state House of Representatives passed a measure this afternoon that makes a hypnotist who engages in sexual intercourse with a patient, subjects a patient to sexual contact during a psychotherapy session or by therapeutic deception subject to the criminal penalties for sexual assault in the second or fourth degree. The bill makes it sexual assault for hypnotists to have

consensual sexual intercourse or contact with clients under the same circumstances that currently apply to people performing or purporting to perform psychotherapy, such as a physician, psychologist, nurse, substance abuse counselor, social worker, clergyman, marital and family therapist, or mental health service provider. The legislation was co-sponsored by Representative Themis Klarides (R-Derby).

Under provisions of the legislation, the conduct is 2nd degree assault when it involves sexual intercourse with a client during a treatment session for a mental condition, the hypnotist represents the intercourse to be for treatment purposes, or when the hypnotist knows that consent cannot be withheld by the client because of emotional dependence on the hypnotist. It would be a 4th degree sexual assault to have sexual contact with a client or former client under those same circumstances.

A 2nd degree sexual assault would be considered a Class C felony, and could earn the perpetrator at least 9 months and up to 10 years imprisonment, a fine of \$10,000 or both. A 4th degree sexual assault would be a Class A misdemeanor, which would earn the perpetrator up to a year in prison, a fine of up to \$2,000 or both. Penalties or stronger if the victim is under the age of 16. People convicted in these instances would be subject to lifetime sex offender registration.

“People who seek the help of psychotherapists are very vulnerable, and those who undergo hypnosis as part of their therapy are additionally so,” said Representative Klarides. “This bill makes it clear that those who would use the power of hypnosis to abuse or assault such vulnerable individuals under the guise of therapy will be dealt with harshly.”

The bill now heads to the state Senate for action there.